

Lien to be filed in common pleas. the court of common pleas of Berks county; and the lien hereby created shall have priority to any mortgage, judgment, recognizance or liability which the said real estate may become liable to after the passage of this act; and the amount secured by the same may be recovered by *scire facias* as debts are recoverable under the mechanics' lien law, in the corporate name of the borough of Reading: *Provided*, That such lien shall be filed within thirty days after such expense is incurred by the said borough, and shall recite the name of the owner or reputed owner, and the occupier or occupiers of such lots.

Recovery.
Proviso.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The eighteenth day of March, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 116.

A SUPPLEMENT

To an act, entitled "An Act concerning road views and road damages in Berks, Lancaster and Bucks counties," passed the thirteenth day of March, A. D. one thousand eight hundred and forty-four.

Court of quarter sessions of Berks and Tioga counties to grant views for the extension of streets, &c.

Appoint six viewers.
Duty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the courts of quarter sessions of the county of Berks, on being petitioned to grant a view for opening or extending any street, lane or alley within the borough of Reading, in the county aforesaid; and the court of quarter sessions of Tioga county, upon the petition of the burgess and town council of the borough of Wellsborough, in said county, praying for a view to lay out any new street, lane or alley, or to extend any old street, lane or alley within the bounds of said borough, shall have power, and by virtue of this act are directed and required, as often as they judge it useful, in open court, to order and appoint six discreet and disinterested freeholders, residing within the limits of the said boroughs, whose duty it shall be, after being sworn or affirmed, to view the ground proposed for opening or extending such street, lane or alley; and if they, or any five of them, view the said ground, and any four of the actual viewers agree that there is occasion for such street, lane or alley to be opened or extended, they shall proceed to lay out the same as agreeably to the desire of the petitioners as may be, in such manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same neces-

sary, together with a plot or draft thereof, to the next court of quarter sessions; and if the court aforesaid shall approve of the same it shall, at the next court thereafter, be entered on record, and thenceforth shall be taken, deemed and allowed to be a public street, lane or alley, compensation being made to the owner or owners of the ground or other property as herein directed; and the expense of all views, and the Expenses how viewers of public streets, lanes and alleys, and of views to assess paid. damages arising under this act, shall be paid by the petitioners.

SECTION 2. That on the return of the viewers reporting in favor of Report of viewers opening or extending any street, lane or alley as aforesaid, and the same being approved of by the court at their next sessions thereafter, to which the report is returned, the court shall appoint six discreet and disinter- Appoint viewers ested freeholders, resident in the said borough of Reading aforesaid, to assess dam- who, being first sworn or affirmed, shall inquire what damages the ages. owner or owners of lands, house or houses, or other property, shall or may sustain by reason of the same being taken, used or appropriated for the purpose aforesaid: *Provided always*, That it shall be the duty Proviso. of the said freeholders, in assessing damages, to consider the advantages which may accrue to the owner or owners of such lands, house or houses, or other property, by reason of opening such street, lane or alley.

SECTION 3. That upon the return of valuation and assessment of Report of dam- damages as aforesaid, for ground or other property taken and appropri- ages, how paid. ated for public streets, lanes or alleys, within the borough aforesaid, and the court of quarter sessions of the said county of Berks having approved the same, the amount of damages awarded as aforesaid, shall be paid by the treasurer of the said borough, agreeably to the third section of the act to which this is a supplement.

SECTION 4. That so much of the act entitled "An Act for extending Repeal. the time of holding the court of quarter sessions of the peace in Berks and Bucks counties, and for the better regulation of the borough of Reading," as is inconsistent herewith, be and the same is hereby repealed.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The eighteenth day of March, one thousand eight hundred and forty-six.

FRS. R. SHUNK.